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Town of Buckeye

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To: Arizona Corporation Commission  
Attention: Docket Control  
1200 W. Washington  
Phoenix, AZ 85007

AZ CORP COMMISSION  
DOCUMENT CONTROL

**Docket # SW-20431A-05-0840, Green Acres Sewer, LLC**

**Docket # W-20430A-05-0839, Green Acres Water, LLC**

Case Staff: H-Stern, L-Ronald, U-Wells, U-Liu, U-Amezcu, U-Chukwu, U-Myhlhausen

Dear Mr. Stern, Administrative Law Judge:

Subject: Response to Procedural Order dated July 3<sup>rd</sup> 2006 .

Intervenor: Town of Buckeye  
Carroll E. Reynolds, Town Manager  
100 E. Apache  
Buckeye, Arizona 85326  
(623) 349-6997 Direct  
(623) 764-5025 Cell

Intervenor's Interest: The Town of Buckeye is in opposed to the Arizona Corporation Commission granting Certificates of Convenience and Necessity for Private Sewer and Water Utilities in the Town of Buckeye's Municipal Planning Area.

The Town of Buckeye (hereafter referred to as the Town) is severely affected by the application by Mr. Steve Robson (hereafter referred to as the Applicant) for sewer and/or water Certificate(s) of Convenience and Necessity (CC&N) for service areas within the Municipal Planning Area of the Town of Buckeye as referenced in the Dockets listed above.

The Town appreciates the opportunity granted by the July 3, 2006 Procedural Order (received by the Town on July 6, 2006) for the Town of Buckeye to intervene in the July 11, 2006 administrative hearing in the matter of the water and sewer CC&N applications submitted by the applicant (dba Green Acres, LLC) In the July 3<sup>rd</sup> Order, it was further ordered that the Town of Buckeye shall appear at the hearing on July 11, 2006 "with counsel and present evidence."

Also on June 30, 2006, a letter (received by the Town on July 3, 2006) was sent to the Town from Arizona Corporation Commission (ACC), Executive Consultant, Blessing N. Chukwu who asked for additional information by the hearing date on July 11, 2006.

The Town has attempted to retain counsel with appropriate experience with intervention in ACC applications. However, the process of determining conflicts of interest with prospective counsel cannot be accomplished by the Town between the date the Order was received on July 06, 2006 and the date of the hearing on July 11, 2006.

Also, the evidence required by the Order and the additional information requested by the ACC cannot be sufficiently compiled by the Town between the notice on July 3<sup>rd</sup> and the hearing on July 11, 2006.



## Town of Buckeye

The Town respectfully requests that the hearing scheduled for July 11, 2006 be rescheduled or that additional hearings be scheduled that enable the Town to comply with the Order of July 3<sup>rd</sup> and to provide the information and evidence requested by the ACC.

Sincerely,

A handwritten signature in black ink, appearing to read "CE Reynolds", is written over the printed name.

Carrol E. Reynolds  
Town Manager

Cc: Beth A. Heath  
Tiffany & Bosco  
2525 East Camelback Road, Third Floor  
Phoenix, AZ 85016